

State Council on Developmental Disabilities

Learn About



2009 Changes to the Lanterman Act

(Adult Services)

Important to Know!

Adapted from Developmental Disabilities Area Boards 10 and 5
for SCDD Employment Advisory Committee 9/09

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Background



1) The governor proposed a \$334 million cut plus 3% cut for Regional Centers and service providers.



2) The legislature wanted to make it a smaller cut.



3) May budget revision, \$334 million cut stayed.
+50 million
\$384 million total in cuts

Approved by the Legislature July 2009

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Changes In These Areas

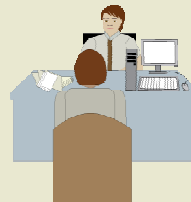


Early Start Services

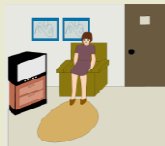
Non-Medical Services and Therapies



General Rules



Services and Supports



Supported Living
Options



New Exciting

Learn
About

General Rules



Responsibilities under the Lanterman Act

IPP Process



Needs to be an IPP meeting before the Regional Center changes services.

Regional Centers must send a Notice of Proposed Action with timelines.

Appeals Procedure - Fair Hearings



There are steps to appeal Regional Center decisions.

Talk to your Area Board or Clients Rights Advocate.

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General Rules



Regional Centers may not pay for services if other funding is available



MediCal, Medicare, CHAMPUS, private insurance, California Children's Service, IHSS



Regional Centers can require a person to appeal a denial unless they think the appeal won't work.



TO APPEAL: Show how service you want is outside the coverage or funding from other insurance or agencies.

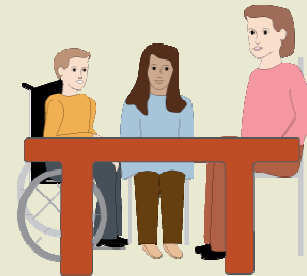
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General Rules



Use the service provider who costs less

Unless it is a more “restrictive” service than what is now used.



TO APPEAL: Show that the provider they want you to use cannot meet the IPP goals or needs as well as another provider you want.

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General Rules



Regional Centers cannot fund unproven therapies or devices.



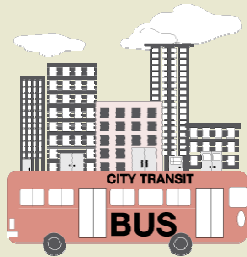
TO APPEAL: Show the service wanted is not experimental and that there is proof it works for the person.

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General Rules



Transportation services are limited



Use least expensive transportation that meets needs.



If people can use regular transportation, they will be assisted to do that instead of using special transportation.

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Services & Therapies



Camp, social recreation, educational services, non-medical therapies stopped.



Art



Music



horse riding



Swimming



Gymnastics

Regional Centers can no longer fund these services but the state “may” start funding again in future.



TO APPEAL: Show service is very important to help a person **OR** is key to person staying in their home.

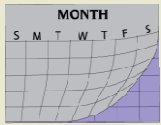
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Services and Supports



Day programs

Closed for the same 14 day holiday schedule.



Day programs offer Seniors' service for people 50+ who want it (at reduced rate).



In-home respite workers provide new paramedical services.



Quality Assurance

Life Quality Assessment interviews discontinued.
Area Boards start new interviews in future.

Services and Supports



Access to IHSS hours limited

Some people who receive IHSS for domestic, chore services may lose those hours.

Some people whose disability is mild to moderate may lose all their IHSS hours.

SSI/SSP reduced to federal minimum:



\$ 845 for a person



\$1,407 for a couple



Good to Know: Regional Centers make up for this, but only for people who live on their own.

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Services and Supports



Adults on Medi-Cal lose “Optional Benefits”



- Dental care
- Eye exams, eyeglasses, contact lenses
- Mental Health Services
- Hearing aids



- Foot care
- Incontinence supplies
- Acupuncture



- Speech therapy
- Chiropractic services



Regional centers are required to purchase these services if needed. DDS has additional funds for these services.

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Supported Living



Supported Living providers must help people get IHSS within 5 days of moving.

Provider will be paid IHSS rate for IHSS services while waiting for IHSS. If eligible for IHSS, must use IHSS.

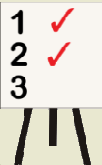


Regional Centers will not pay person's rent.

Only in a few cases



Regional Centers have people who share a home use the same provider.



TO APPEAL: Show why the same provider does not work for both people.

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New Options

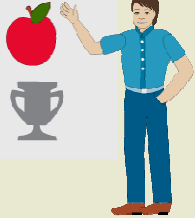


DDS and Regional Centers

Independent Choice Budget



ABOUT ME



Offer people choice of directing their own service budget with a reduced, agreed upon amount.

Choose and hire support people and service providers who are vendored - approved by Regional Centers.

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New Options



DDS and Regional Centers plan “Custom Endeavors Option”



Promote employment and jobs for people who are transitioning from high school.



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Who Can Help?

Regional Center Clients' Rights Advocate



(916) 575-1615

Jackie Coleman

Area Board 3



(916) 324-7426

Michael Rosenberg

Disability Rights California (PAI)



(800) 776 -5746

Local Legislator



www.leginfo.ca.gov/yourleg.html

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For More Information

CA Disability Community Action Network



www.cdcan.us Sign up for free information!

State Council on Developmental Disabilities



www.scdd.ca.gov

Rights Under the Lanterman Act book



www.disabilityrightscalifornia.org/pubs/506301index.htm

Disability Rights California (PAI)



www.disabilityrightscalifornia.org